

TOWN OF BRIDGEVILLE

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ORDINANCE NO.: A11-5

AN ORDINANCE CREATING A NEW CHAPTER OF THE CODE OF THE TOWN OF BRIDGEVILLE REQUIRING THE REGISTRATION AND LICENSING OF CONTRACTORS DOING BUSINESS WITHIN THE TOWN OF BRIDGEVILLE

THE COMMISSIONERS OF BRIDGEVILLE HEREBY ORDAIN:

Section 1. Create a new chapter of the Code of the Town of Bridgeville, entitled "Contractor Licenses", to read as follows:

Section 1. Definitions.

Any word or term not defined herein shall be used with a meaning of standard usage.

CONTRACTOR – any person who contracts to perform work or provide supplies, as determined by the Town of Bridgeville Code Enforcement Officer or his/her designee. Examples of contracting work would include, but are not limited to, the following: awnings, carpentry, demolition, doors/windows, drywall, excavating, fabrication, fencing, flooring, HVAC service and installation, insulation, landscaping, masonry, paving, plumbing, pools service and installation, security service and installation, signage, solar, tree service, and welding. The foregoing shall not include contractors performing work or providing materials for the repair, restoration or maintenance of previously existing contracting work.

PERSON – include firms, companies, corporations, partnerships, associations and individuals.

Section 2. License Requirement.

It shall be unlawful for any person to operate, maintain or otherwise engage in any contracting business without first obtaining a license from the Town. Licenses shall be issued only to those contractors that are to provide an allowable service as determined by the Town Code. Annual licenses must be obtained prior to beginning any work as described in this Chapter for any license year.

Section 3. Fee Required.

In order to obtain a license, contractors must submit an application to the Town of Bridgeville Code Enforcement Officer along with the license fee of \$50.00. The Town will not review an applicant for a Contractor License without having first received the license fee.

Section 4. Application for License.

- A. Applications for Contractor Licenses shall be addressed to the Town, in writing, on application forms provided by the Town. Each applicant shall give at least the following information:

1. The name, business address or phone number of the applicant;

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2. If the applicant is a partnership or corporation, the names, addresses and phone numbers of the individuals or officers composing the partnership or corporation;
3. A full description of the nature of the business for which the license is required;
4. A copy of a Delaware Business License and proof of insurance;
5. A statement that the application had complied and will comply with all laws and ordinances of the Town of Bridgeville.
6. A statement that all employees employed by the applicant to do work in the Town of Bridgeville are legal residents of the United States of America. Documents verifying the status of any or all employees shall be furnished to the Code Enforcement Officer upon request.

- B. A record of all contractor licenses issued and license fees paid shall be maintained at the Town Office.

Section 5. Financial Good Standing.

Per Town Code Chapter 135, titled "Financial Good Standing", any person applying for a Contractor License must be considered in financial good standing with the Town prior to the issuance of a Contractor License.

Section 6. Charitable Institutions, Youth and Part-time Workers.

- A. No license fee shall be charged for a contractor license issued to a charitable or public service institution, association, club or body not organized and conducted for private gain, nor shall the Town be charged for licenses.
- B. Any person under the age of 18, attending school and not already employed as a contractor, shall be exempt from the provisions of this Ordinance.
- C. Any family member of a Town resident, or someone not employed as or by a full-time contractor for their primary form of income, shall be exempt from the provisions of this Ordinance.

Section 7. Issuance and Expiration.

- A. Upon proper application and payment of the prescribed fee, a contractor fee, a contractor license, signed by the Town Code Enforcement Officer or his/her designee, shall be issued to each applicant.
- B. Each contractor license shall be effective for the calendar year (January – December) in which it is issued.

Section 8. License Suspension and Revocation.

- A. Any contractor license issued under the provisions of the Chapter may, at the discretion of the Code Enforcement Officer, be revoked or suspended at any time for reasonable cause including, but not limited to, the following:
 - 1. False or misleading information given or provided in connection with the contractor license application;
 - 2. Failure to pay any fee herein provided for;
 - 3. Failure to comply with any or all Sections of this Chapter;
 - 4. Failure to maintain Financial Good Standing with the Town;
 - 5. Failure to correct Code violations in the time period prescribed.
- B. A suspended contractor license shall be reinstated when the circumstances leading to the suspension have been remedied and all associated fees have been paid.
- C. Any business that has had their license suspended or revoked may appeal the suspension or revocation to the Commissioners of Bridgeville. The suspension or revocation shall remain in effect during the appeal process. If the Commissioners of Bridgeville determine that the suspension or revocation is not warranted, the license will be immediately reinstated with all associated fees being waived.

Section 9. Posting.

All contractor licenses issued under the provisions of this Chapter shall be maintained at the work site while work is being performed.

Section 10. Inspection.

All work that is to be completed in the Town of Bridgeville by any licensed contractor shall be open to the inspection of the Town Manager or his/her designee and the Town Police Department at all times.

Section 11. Violations and Penalties.

- A. Any person who violates or permits the violation of any provision of this Chapter shall be fined one hundred dollars (\$100.00) for the first offense. Each subsequent offense will result in a fine of Two Hundred Fifty Dollars (\$250.00). Failure to pay the assessed fine within thirty (30) days will result in a summons to appear in court.
- B. For the purpose of this Chapter, each day that a person is prosecuted and/or carries on, conducts or engages in any contracting business without a proper license shall be deemed to be a separate offense.

Section 2. Effective Date. This Ordinance shall become effective upon its adoption by a majority of the members elected to the Commission.

COMMISSIONERS OF BRIDGEVILLE

By: Patricia M. Correll
President

ATTEST: Laurence J. Sone
Secretary

Date of Reading: December 12, 2011

Adopted: January 9, 2012